

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

April 16, 2024

LAURA A. AUSTIN, CLERK
BY:
s/A. Beeson
DEPUTY CLERKTHAD GILBERT COOPER,
Plaintiff,

Civil Action No. 7:24cv00086

v.

MCDUFFY,
Defendant(s),**MEMORANDUM OPINION**By: Thomas T. Cullen
United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint under 42 U.S.C. §1983. By order entered February 2, 2024, the court directed plaintiff to submit, within 30 days from the date of the order, a statement of assets form and a prisoner trust account report (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. The prisoner trust account report was to be filled out, signed, and dated by the appropriate prison official of each prison at which plaintiff is or was confined during that six-month period. On February 12, 2024, plaintiff returned the statement of assets form and a blank prisoner trust account report. By order entered March 11, 2024, Plaintiff was given one last opportunity to submit the prisoner trust account report within 30 days. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice. On March 25, 2024, Plaintiff returned a blank prisoner trust account report.

More than 30 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court will dismiss this action without prejudice and strike the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 16th day of April, 2024.



United States District Judge

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